IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 24525 of 2004

Between:

M/s. Blue Birds High School, Rayapura, Hanamkonda,

Warangal rep by Correspondent, M.A. Majeed,
S/o M.A. Ali R/o Hanamkonda, Warangal

... PETITIONER

AND

1 The Assistant Provident Fund Commissioner, and Authority

Under Section 7-A of the Employees Provident
Fund and Miscellaneous Provisions Act 1952, Sub-Regional

Officer, Balasamudram Hanamkonda,
Warangal District
2 The Recovery offficer, Employees Provident Fund Organisation

Sub-Regional Officer, Balasamudram
Hanamkonda, Waragnal District

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the order dt 27-8-2004 made in AP SRO/WL/ENF/19739/WGL/7A Order/2003-04 passed by the 1st respondent herein, assessing the liability of the petitioner for payment of provident fund contribution as illegal and arbitrary.

Counsel for the Petitioner: MR.A.PRABHAKAR RAO

Counsel for the Respondents: MR.R.N.REDDY

The Court, at the admission stage, made the following:

ORDER:

The impugned order passed by the first respondent under Section 7-A of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (for short 'the Act') is challenged in the present writ petition.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents and both of them have consented to the disposal of the writ petition at the stage of admission itself.

3. Learned counsel for the petitioner submitted that petitioner is ready to pay the demanded amount of Rs.2,21,853/- and Rs.49,593/- in 12 monthly installments, which would start from
10-01-2005. The learned Standing Counsel for the respondents expressed no objection for payment of the amounts in installments.

4. In view of the same, petitioner is hereby directed to pay the demanded amount in 12 monthly installments starting from
10-01-2005, and if the petitioner fails to pay any of the installments, the respondents are at liberty to proceed further in the matter.

With the above direction, the writ petition is disposed of at the admission stage.

N. V. RAMANA, J

December 29, 2004

MRR / SVV

Copy to:

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3 Two C.D. Copies.